

Report Date: August 30, 2017

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
SEP 05 2017
SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON DEPUTY

Name of Offender: Antonio Derryl Thomas Case Number: 0980 2:13CR00045-WFN-1
Address of Offender: Spokane, Washington 99207
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge
Date of Original Sentence: September 4, 2013
Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1); Felon in Possession of Ammunition, 18 U.S.C. § 922(g)(1);
Original Sentence: Prison - 48 months Type of Supervision: Supervised Release
TSR - 36 months
Asst. U.S. Attorney: Matthew F. Duggan Date Supervision Commenced: October 9, 2016
Defense Attorney: Benjamin Flick Date Supervision Expires: October 8, 2019

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 04/12/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

3 **Special Condition # 16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare upon further order of the court. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: On October 12, 2016, the undersigned officer reviewed the conditions of supervision with Mr. Thomas, to include special condition number 16. Mr. Thomas signed his judgment, acknowledging an understanding of his conditions of supervised release.

On August 29, 2017, Mr. Thomas violated his conditions of supervised release, for being unsuccessfully discharged from chemical dependency treatment/moral reconnection therapy (MRT) at Alcohol Drug Education Prevention and Treatment, Inc. (ADEPT). The undersigned officer received a call from staff at ADEPT advising a meeting with Mr. Thomas and staff was just completed. Staff advised that effective immediately, Mr. Thomas would be unsuccessfully discharged from treatment/MRT services due to noncompliance. ADEPT staff further explained that Mr. Thomas is not amenable to treatment or behavioral change at this present time.

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Special Condition # 17: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On October 12, 2016, the undersigned officer reviewed the conditions of supervision with Mr. Thomas, to include special condition number 17. Mr. Thomas signed his judgment, acknowledging an understanding of his conditions of supervised release.

On August 16, 2017, Mr. Thomas reported to the probation office to submit to urinalysis testing, as he had missed a random urinalysis test the day prior. The urine sample tested presumptive positive for marijuana. Mr. Thomas adamantly denied using marijuana, and signed a document denying marijuana use. The urine sample was sent to Alere Toxicology for further testing. On August 23, 2017, the lab report was received from Alere Toxicology confirming a positive result for marijuana.

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 04/12/2017.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/30/2017

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other


Signature of Judicial Officer

9/5/17
Date